

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

MIGUEL MOLINA,

Plaintiff,

v.

K. KAUFFMAN, *et al.*,

Defendants.

No. 4:21-CV-00038

(Chief Judge Brann)

(Chief Magistrate Judge Mehalchick)

**ORDER**

**NOVEMBER 30, 2023**

Miguel Molina, a Pennsylvania state prisoner, filed this fourth amended civil rights complaint alleging that Defendants violated his rights in numerous ways.<sup>1</sup> On October 2, 2023, Chief Magistrate Judge Karoline Mehalchick issued a Report and Recommendation recommending that this Court grant Defendants' motion for summary judgment and close this case.<sup>2</sup> Molina has not filed timely objections to the Report and Recommendation.

Where no objection is made to a report and recommendation, this Court will review the recommendation only for clear error.<sup>3</sup> Conversely, "[i]f a party objects timely to a magistrate judge's report and recommendation, the district court must

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<sup>1</sup> Doc. 212.

<sup>2</sup> Doc. 255.

<sup>3</sup> Fed. R. Civ. P. 72(b), advisory committee notes; *see Henderson v. Carlson*, 812 F.2d 874, 878 (3d Cir. 1987) (explaining that court should in some manner review recommendations regardless of whether objections were filed).

‘make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made.’”<sup>4</sup> Regardless of whether timely objections are made, district courts may accept, reject, or modify—in whole or in part—the magistrate judge’s findings or recommendations.<sup>5</sup> Upon review of the record, the Court finds no clear error in Chief Magistrate Judge Mehalchick’s recommendation that the Court enter judgment in Defendants’ favor. Consequently, **IT IS HEREBY ORDERED** that:

1. Chief Magistrate Judge Karoline Mehlachick’s Report and Recommendation (Doc. 255) is **ADOPTED**;
2. Defendants’ motion for summary judgment (Doc. 244) is **GRANTED** and judgment is entered in favor of Defendants; and
3. The Clerk of Court is directed to **CLOSE** this case.

BY THE COURT:

*s/ Matthew W. Brann*

Matthew W. Brann

Chief United States District Judge

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<sup>4</sup> *Equal Emp’t Opportunity Comm’n v. City of Long Branch*, 866 F.3d 93, 99 (3d Cir. 2017) (quoting 28 U.S.C. § 636(b)(1)).

<sup>5</sup> 28 U.S.C. § 636(b)(1); Local Rule 72.31.